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HYNIX SEMICONDUCTOR INC. AND
HYNIX SEMICONDUCTOR AMERICA INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE FLASH MEMORY
ANTITRUST LITIGATION

This Document Relates to:
All Indirect Purchaser Actions

No. C 07-0086-SBA

**[PROPOSED] ORDER GRANTING
DEFENDANTS SAMSUNG AND
HYNIX'S ADMINISTRATIVE MOTION
TO SEAL PORTION OF ORDER
PURSUANT TO LOCAL RULES 7-11
AND 79-5**

Judge: Sandra B. Armstrong

1 On March 31, 2010, this Court issued its Order Denying Indirect-Purchaser Plaintiffs'
2 Motion for Class Certification; Denying Indirect-Purchaser Plaintiffs' Motion for Leave to
3 Amend; and Granting in Part and Denying in Part Indirect-Purchaser Plaintiffs' Motion to
4 Dismiss Claims of Christopher Bessette (the "Order").¹ The Court placed the Order under
5 seal, and required the parties by April 22, 2010 to "jointly advise the Court which facts, if
6 any, they contend should be redacted from the public version of this ruling. To the extent any
7 party seeks redaction of any portion of the Court's ruling, such party shall provide the Court
8 with the legal authority for such request and a proposed redacted order for public disclosure."
9 (Order at 29.)

10 With respect to this Order, on April 22, 2010, Defendants Samsung Electronics Co.,
11 Ltd. and Samsung Semiconductor, Inc., ("Samsung") and Hynix Semiconductor Inc. and
12 Hynix Semiconductor America Inc. ("Hynix") filed an Administrative Motion to Seal Portion
13 of Order Pursuant to Civil Local Rules 7-11 and 79-5 ("Motion to Seal") seeking to seal the
14 percentages of Samsung's and Hynix's NAND Flash sales attributable to Apple, and the
15 amount and proportion of Apple's purchases from Defendants, and to redact those figures
16 from the public version of the Order. (*See* Order at 14:5-9.) Also on April 22, 2010,
17 Samsung filed the Declaration of Joseph C. Sarles in Support of the Motion to Seal, and
18 Hynix filed the Declaration of Christina J. Brown in Support of the Motion to Seal.

19 After due consideration of the papers submitted, the Court's previously entered
20 Protective Order, and the Court's file in this matter, and good cause appearing therefore,

21 IT IS HEREBY ORDERED THAT:

22 1. The Motion to Seal is GRANTED. The Clerk shall place in the public record
23 the redacted version of the Court's March 31, 2010 Order, as lodged by Defendants and
24 modified by the Court. The public, redacted version will include a case citation update and
25

26 ¹ In anticipation of the motion hearing, Defendants filed a Motion for Administrative
27 Relief Pursuant to Local Rule 7-11 for Order Directing the United States Marshals Service
28 and/or Federal Security Services to Admit into the Federal Courthouse Electronic Equipment
for Use at Hearing. Since the motion was resolved without a hearing, this request is denied as
moot.

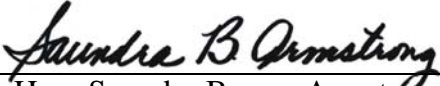
1 will delete paragraph 5 of the Conclusion on page 29 of the under seal order, since that
2 provision is now moot for purposes of the public version of the order.

3 2. Defendants' Motion for Administrative Relief Pursuant to Local Rule 7-11 for
4 Order Directing the United States Marshals Service and/or Federal Security Services to Admit
5 into the Federal Courthouse Electronic Equipment for Use at Hearing is DENIED as moot.

6 3. This order terminates Docket Nos. 690 and 712.

7 IT IS SO ORDERED.

8 DATED: June 8, 2010

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10 Hon. Sandra Brown Armstrong
11 United States District Court Judge
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